

standard of the exactness required in scientific observation. Nothing was too much trouble for him, everything that could be done should be done. Where it was possible he examined each case in his pedigree himself, or got them examined by a friend in whose diagnosis he could trust. All this meant a great deal of labour and a great deal of travelling but the result is work that will stand as of permanent value.

It was sometimes remarked that he was extraordinarily diffident for a man of his parts. This was in part due to a manner which was a family trait, also, I think, to a dread of dogmatizing on any subject on which he had not accurate first-hand knowledge, certainly not to any hesitation as to the opinions he had formed for himself.

Nettleship was of a reserved and retiring disposition, but those who got to know him soon realized that they were in touch with an exceptionally fine character, and his generosity, his fair-mindedness, and his constancy to his friends and his opinions, won the deepest affection from all those whom he honoured with his friendship.

He married in 1869 Elizabeth Endacott Whiteway, but leaves no children.

WM. C. MARSHALL.

CORRESPONDENCE.

RECENT EUGENIC LEGISLATION IN THE UNITED STATES.

In case it has not already come to your attention I thought you might be interested in the recent eugenic legislation which has been passed in this State. I am accordingly sending enclosed herewith copies of the so-called "Sterilization Bill" and "Eugenic Marriage Bill," which have been passed this summer by the State Legislature and were made law by the signature of the Governor a short time ago. The sterilization law, as you will note, follows very closely along the lines of similar laws which have been passed by a number of other States. While we in this State, who are interested in eugenics, are not over sanguine as to what will be accomplished directly under this law, we believe that it will at any rate prove to be a strong factor in eugenic education, and in fact the discussion which has been aroused in the newspapers of the State and country must have had much influence along this line.

The eugenic marriage law is so far as I am aware, the first of its kind to be passed by any of the States. This subject, as you know, has been agitated in this country for some time and has been brought to the attention of the public especially by the action of certain clergymen in announcing that they would marry only people who could show satisfactory medical certificates of good health. The Bill, as originally drafted, would have required these certificates for the woman as well as for the man, but this feature was changed in the Assembly so that the law applies to the man only. It remains to be seen how this law will be administered, but we feel that it will do much good. Certainly it is a step in the right direction, and its educational value will, undoubtedly, be very great.

LEON J. COLE.

University of Wisconsin.

[No. 559, S.]

CHAPTER 693 OF 1913.

AN ACT

To create section 561jm of the statutes, relating to the prevention of criminality, insanity, feeble-mindedness and epilepsy.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:—

Section 1.—There is added to the statutes a new section to read :
Section 561jm. The State Board of Control is hereby authorised to appoint, from time to time, one surgeon and one alienist, of recognised ability, whose duty it shall be, in conjunction with the superintendents of the State and county institutions who have charge of criminal, insane, feeble-minded and epileptic persons, to examine into the mental and physical condition of such persons legally confined in such institutions.

2. Said Board of Control shall at such times as it deems advisable submit to such experts and to the superintendent of any of said institutions the names of such inmates of said institution whose mental and physical condition they desire examined, and said experts and the superintendent of said institution shall meet, take evidence and examine into the mental and physical condition of such inmates and report said mental and physical condition to the said State Board of Control.

3. If such experts and superintendents unanimously find that procreation is inadvisable it shall be lawful to perform such operation for the prevention of procreation as shall be decided safest and most effective: provided, however, that the operation shall not be performed except in such cases as are authorised by the said Board of Control.

4. Before such operation shall be performed, it shall be the duty of the State Board of Control to give at least thirty days' notice in writing to the husband or wife, parent or guardian, if the same shall be known, and if unknown, to the person with whom such inmate last resided.

5. The said experts shall receive as compensation a sum to be fixed by the State Board of Control, which shall not exceed ten dollars per day and expenses, and such experts shall only be paid for the actual number of days consumed in the performance of their duties.

6. The record taken upon the examination of every such inmate shall be preserved and shall be filed in the office of said Board of Control at Madison, Wisconsin, and semi-annually after the performing of the operation, the superintendent of the institution wherein such inmate is legally confined, shall report to said Board of Control the condition of such inmate and the effect of such operation upon such inmate.

7. The State Board of Control shall report biennially in its regular biennial report the number of operations performed under the authority of this section and the result of such operations.

8. There is hereby appropriated out of the State Treasury, not otherwise appropriated, a sufficient amount of money to carry into effect the purposes of this section not to exceed two thousand dollars.

Section 2.—This Act shall take effect upon passage and publication.

Senate: Ayes 24; Noes 3.

Assembly: Ayes 39; Noes 37.

This Act originated in the Senate.

Approved by the Governor, July 30th, 1913.

[No. 611, S.]

CHAPTER 738, LAWS OF 1913.

AN ACT

To create section 2339m of the statutes, relating to marriage and venereal diseases.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:—

Section 1.—There is added to the statutes a new section to read :
Section 2339m.—1. All male persons making application for license to marry shall at any time within fifteen days prior to such application, be examined as to the existence or non-existence in such person of any venereal disease, and it shall be unlawful for the county clerk of any county to issue a license to marry to any person who fails to present and file with such county clerk a certificate setting forth that such person is free from acquired venereal diseases so nearly as can be determined by physical examination and by the application of the recognised clinical and laboratory tests of scientific search. Such certificate shall be made by a licensed physician, shall be filed with the application for license to marry, and shall read as follows, to wit :

I, _____ (name of physician), being a legally licensed physician, do certify that I have this _____ day of _____, 19____, carefully and thoroughly examined _____ (name of person), having applied the recognised clinical and laboratory tests of scientific search and find him to be free from all venereal diseases so nearly as can be determined.

(Signature of physician.)

2. Such examiners shall be physician duly licensed to practice in this State, shall be persons of good moral character and of scientific attainments, and at least thirty years of age. The fee for such examination, to be paid by the applicant for examination before the certificate shall be granted, shall not exceed three dollars. The county physician of any county shall, upon request, make the necessary examination and issue such certificate, if the same can properly be issued, without charge to the applicant, if said applicant be indigent.

3. Whenever there is a dispute or disagreement regarding the findings of any medical examiner, laboratory tests shall be made in the State laboratory of hygiene from material submitted by such examiner, and the findings of the said laboratory shall be accepted as evidence of the presence or absence in the person examined of any venereal disease.

4. In any case wherein the certificate of health required by subsection 1 of this section shall be refused and the applicant shall make and file with the county clerk of the proper county an affidavit setting forth the fact that such applicant has not had a fair and impartial examination and that he is entitled to such certificate of health, it shall be the duty of such county clerk to certify such proceedings, at once, to the county court of such county without formality or expense to such applicant. Such application shall be heard by a judge of said court, at the earliest time practicable, without a jury in court or in chambers, during the term or in vacation as the case may be. Notice of the time and place of such hearing shall be given to such applicant by mail. A certified copy of an order of such judge upon his findings in such

matter determining that such applicant is entitled to such certificate of health presented and filed with such county clerk, shall have the same force and effect as such certificate and such county clerk shall thereupon issue a license to marry, to such applicant.

5. Any person a resident of this State, who with intent to evade the provisions of this Act shall go into another State and there have a marriage solemnized and who within one year from date of such marriage shall return and reside in this state, shall upon information or knowledge to the district attorney of any county be required by him to file with the county clerk of any county in which such person may be then a resident, a certificate of examination from such physician as set forth in this section. Any person violating the provisions of this subsection shall be punished by imprisonment in the county jail not less than thirty days nor more than one year.

6. Any county clerk who shall unlawfully issue a license to marry to any person who fails to present and file the certificate provided by subsection 1 of this section, or any party or parties having knowledge of any matter relating or pertaining to the examination of any applicant for license to marry, who shall disclose the same, or any portion thereof, except as may be required by law, shall upon proof thereof be guilty of a felony, and shall be punished by imprisonment in the State prison not less than one year nor more than five years.

7. Any physician who shall knowingly and wilfully make any false statement in the certificate provided for in subsection 1 of this section shall be guilty of perjury and upon conviction shall be punished as for perjury, and a conviction under this subsection shall revoke the license of such physician to practice in this State.

Section 2.—All Acts or parts of Acts inconsistent with the provisions of this Act are repealed.

Section 3.—This Act shall take effect on and after January 1st, 1914.

This Act originated in the Senate.

Approved by the Governor, August 1st, 1913.

THE ALLEGED INFERIORITY OF THE FIRST-BORN.

In the October number of the *EUGENICS REVIEW* there is a paper by Mr. Sören Hansen adducing evidence that amongst the tuberculous patients in a Copenhagen hospital there were 61 per cent. more first-born than might be expected if liability to consumption were independent of order in the family. This evidence is corroborated by M. Lucien March, who, in the same volume, quotes further similar evidence from Professor Pearson as regards tuberculosis, and also gives diagrams showing an excessive number of first-born amongst criminals, lunatics, and sufferers from extreme myopia.

It has been suggested in explanation of these results that prenatal conditions are less favourable in the case of the first-born. But if this unfavourable environment has such an enormous influence on the subsequent life of the child, then the principle of the predominance of nature over environment, which is at the basis of the eugenic movement, will have to be reconsidered. I do not, however, believe that there is